

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MALIBU MEDIA, LLC,

Plaintiff,

vs.

JAMES LEE,

Defendant.

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CIVIAL ACTION

Case No. 2:18-cv-02367-JS

DEFENDANT’S INITIAL DISCLOSURES PURSUANT TO FRCP 26(a)

Pursuant to Federal Rule of Civil Procedure 26(a)(1), defendant, James Lee (“Defendant”), through his undersigned counsel, makes the following initial disclosures to the Plaintiff in the above-referenced lawsuits. These disclosures are based on information presently known and reasonably available to Defendant and which Defendant reasonably believes he may use in support of his claims and defenses. Continuing investigation and discovery may cause Defendant to amend these initial disclosures, including by identifying other potential witnesses, documents and by disclosing other pertinent information. Defendant therefore reserves the right to supplement these initial disclosures.

By providing these initial disclosures, Defendant does not represent that it is identifying every document, tangible thing or witness possibly relevant to this action. In addition, these disclosures are made without Defendant in any way waiving his right to object to any discovery request or proceeding involving or relating to the subject matter of these disclosures on any grounds, including competency, privilege, relevancy and materiality, hearsay, undue burden,

confidentiality, or any other appropriate grounds. Furthermore, these disclosures are not an admission by Defendant regarding any matter.

Each and every disclosure set forth below is subject to the above qualifications and limitations.

1. Individuals Likely To Have Discoverable Information

Individuals likely to have discoverable factual information that Defendant may use to support his defenses in the above-referenced lawsuits are identified in Attachment “A”, which by this reference is incorporated herein.

2. Description of Documents

The following enumerates documents and tangible things in the possession, control or custody of Defendant that Defendant may use to support its defenses:

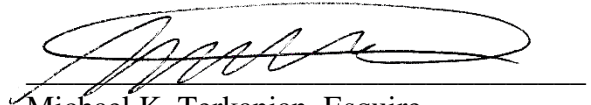
- a. Two Apple laptops
- b. An ASUS laptop
- c. A Samsung Note 9
- d. An Apple iPhone
- e. A Samsung Galaxy S5
- f. A Samsung S8+
- g. An ASUS ZenPro Tablet
- h. Documents describing the location of Defendant at the times described by Plaintiff in his Complaint.

3. Computation of Damages

Defendant denies liability for damages and does not seek recovery of damages from the Plaintiff's in the lawsuit at this time (other than recovery of costs and attorney fees). Defendant would present evidence of its court costs and attorney fees after the claims against it have been denied or dismissed.

4. Insurance

Defendant is investigating potential insurance coverage claims related to the Plaintiff's lawsuit.

A handwritten signature in black ink, appearing to read 'Michael K. Terkanian', is written over a horizontal line.

Michael K. Terkanian, Esquire

PA Attorney ID #320539

Terkanian Law, LLC

312 Alexander Court

Chalfont, PA 18914

215-681-8375

Email: mkt@terkanianlaw.com

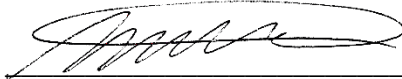
Attorney for Defendant James Lee

Dated: 12/19/2018

CERTIFICATE OF SERVICE

This is to certify that the foregoing DEFENDANT'S INITIAL DISCLOSURES was personally delivered to Attorney Christopher P. Fiore at the Rule 26(f) conference on December 10, 2018, as well as electronically filed with the Clerk of Court using the CM/ECF system that will automatically send email notification of such filing to the following attorney(s) of record:

Christopher P. Fiore, Esquire
Fiore & Barber, LLC
418 Main Street
Suite 100
Harleysville, PA 19438



Michael K. Terkanian, Esquire
PA Attorney ID #320539
Terkanian Law, LLC
312 Alexander Court
Chalfont, PA 18914
215-681-8375
Email: mkt@terkanianlaw.com
Attorney for Defendant James Lee

Dated: 12/19/2018

Attachment A

NAME / ADDRESS	TELEPHONE	RELATIONSHIP	TOPICS FOR DISCLOSURE
Tracey Dinh 122 Mallard Dr. W North Wales, PA 19454	267-467-3944	Defendant's wife	Personal knowledge of Defendant's household, computer usage, whereabouts, and general information
Dong Lee 122 Mallard Dr. W North Wales, PA 19454	267-918-2540	Defendant's father	Personal knowledge of Defendant's household, computer usage, whereabouts, and general information
Goo Lee 122 Mallard Dr. W North Wales, PA 19454	267-918-2558	Defendant's mother	Personal knowledge of Defendant's household, computer usage, whereabouts, and general information